

FILED

MAY 31 1978 (10)

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

Jack G. Siler Clerk
U. S. DISTRICT COURT

United States of America

vs.

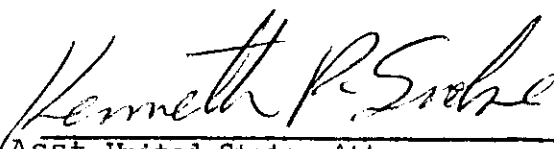
Stella Louise Osborne

Criminal No. 78-CR-59-B ✓

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal
Procedure and by leave of court endorsed hereon the United States
Attorney for the Northern District of Oklahoma
hereby dismisses ~~the~~ Count I of the Indictment against
(indictment, information, complaint)
Stella Louise Osborne, defendant.

HUBERT H. BRYANT
United States Attorney


Asst. United States Attorney
KENNETH P. SNOKE

Leave of court is granted for the filing of the foregoing dismissal.


United States District Judge

Date: May 31, 1978

DOJ

FORM OBD-113

8-27-74

United States of America vs.

United States District Court for

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT

JIMMY LEE BENNETT

DOCKET NO.

78-CR-53-B

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

COUNSEL

In the presence of the attorney for the government
the defendant appeared in person on this date

MONTH DAY YEAR
5 31 78

☐ WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

☒ WITH COUNSEL

Charles W. Hack, Appt.

(Name of counsel)

FILED

PLEA

☒ GUILTY, and the court being satisfied that
there is a factual basis for the plea,

☐ NOLO CONTENDERE,

☐ NOT GUILTY

MAY 31 1978

FINDING &
JUDGMENT

There being a finding/verdict of

☐ NOT GUILTY. Defendant is discharged

☒ GUILTY.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Defendant has been convicted as charged of the offense(s) of **having violated Title 18, U.S.C.,
Section 2313 & 2 as charged in Count 3 of the Indictment.**

SENTENCE
OR
PROBATION
ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for ~~imprisonment~~

**Treatment and supervision until discharged by the Federal Youth Correction Act
as provided by Title 18, U.S.C., Section 5010(b).**

IT IS FURTHER ADJUDGED that the Court be furnished with a 60 day report.

SPECIAL
CONDITIONS
OF
PROBATION

ADDITIONAL
CONDITIONS
OF
PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT
RECOMMEN-
DATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

☒ U.S. District Judge

☐ U.S. Magistrate

(Signed) Allen E. Barrow

Date

5-31-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

FILED

UNITED STATES DISTRICT COURT

MAY 31 1978

Northern District of Oklahoma

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America

Criminal No. 77-CR-4 ✓

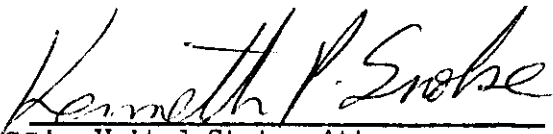
vs.

Michael Lee Blackburn

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal
Procedure and by leave of court endorsed hereon the United States
Attorney for the Northern District of Oklahoma
hereby dismisses Counts II thru-VIII of the Indictment against
(indictment, information, complaint)
Michael Lee Blackburn, defendant.

HUBERT H. BRYANT
United States Attorney


Asst. United States Attorney
KENNETH P. SNOKE

Leave of court is granted for the filing of the foregoing dismissal.


United States District Judge

Date: May 31, 1978

DOJ

FORM OBD-113

8-27-74

MAY 31 1978

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. District Court

| | | |
|----------------------------|---|----------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| v. |) | NOS. 76-CR-142 |
| |) | 77-C-450 |
| ROBERT JERRY LEE, # 93690, |) | |
| |) | |
| Defendant. |) | |

O R D E R

The Court has the pro se instruments of Robert Jerry Lee requesting the Court to immediately have him taken into custody and transported to the Federal Institution to begin service of his sentence in this Case No. 76-CR-142, and motion to reconsider the Court Order in error in this case and in Case No. 77-C-450.


Having carefully reviewed the motions and being fully advised in the premises, the Court finds that the motions are without merit and should be denied.

The first two errors complained of are obviously typographical errors in no way affecting the ruling on the merits of the March 1, 1978, Order of the Court. The heading of the Order was apparently picked up from Defendant's heading on his motion for subpoenaes duces tecum in his § 2255 motion, the proper parties at all times being Robert Jerry Lee, Defendant and Movant, and the United States of America, Plaintiff and Respondent. The date sentence was imposed in Case No. 76-CR-142 was the 3rd day of November, 1976, all as clearly reflected in the files and records of the Court in Cases No. 76-CR-142 and No. 77-C-450. Error assignment No. 3 is not supported by fact. The State records Defendant refers to are before the Court as they were before the March 1, 1978, Order. Defendant was arrested October 2, 1976, by police officers for Claremore, Oklahoma, on State of Oklahoma charges, not by Federal officers on Federal charges. In assignment of error No. 4, Defendant quotes "in part from Exhibit F". The pertinent part left unquoted from the Exhibit is that the U. S. Marshal's custody was taken pursuant to "WHCAP", that is, writ of habeas corpus ad prosequendum. Such writs serve the purpose of borrowing a prisoner in the custody of another jurisdiction to be returned to the jurisdiction having original custody, which in the Defendant's case was the State of Oklahoma. Defendant's request for final disposition of the case is clearly based on a misreading

of the Court's Order of March 1, 1978. The paragraph he relies upon from the Order to support his motion is in regard to the requirements of Article III of the Interstate Agreement on Detainers Act. Said Act was not applicable to the issues raised in his § 2255 motion and the Act is clearly not applicable to the service of his sentences due the State of Oklahoma and the Federal Government. Defendant committed crimes in the State of Oklahoma for which he must serve his sentences in the State of Oklahoma. He also committed a Federal crime for which he must serve the Federal sentence, the latter to be served upon completion of the State sentences, the State custody having been first in time.

IT IS, THEREFORE, ORDERED that the motions of Robert Jerry Lee to reconsider the Court's prior Order and for an Order to have him taken into custody from his State of Oklahoma sentences and transported to the Federal Institution to begin service of his sentence in 76-CR-142, are overruled, denied and dismissed.

Dated this 31st day of May, 1978, at Tulsa, Oklahoma.


CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

MAY 31 1978

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

| | | |
|----------------------------------|------------|-----------------|
| UNITED STATES OF AMERICA, |) | |
| | Plaintiff, |) |
| v. |) | NOS. 77-C-515-B |
| |) | 75-CR-1-B |
| ALVINO RAY LA NEAR, # 39587-115, |) | |
| | Movant. |) |

O R D E R

The Court has for consideration a motion pursuant to 28 U.S.C. § 2255 filed pro se, in forma pauperis, by the Movant, Alvino Ray LaNear. The cause has been assigned civil Case No. 77-C-515-B and docketed in his criminal Case No. 75-CR-1-B.

Movant is a prisoner in the Medical Center for Federal Prisoners, Springfield, Missouri, pursuant to conviction in Case No. 75-CR-1 upon his plea of guilty to an indictment charging Count One, mail theft in violation of 18 U.S.C. § 1702, and Count Two, uttering and publishing a stolen United States Treasury check in violation of 18 U.S.C. § 495. On January 21, 1975, the imposition of sentence was suspended on said charges and the Defendant (Movant herein) was placed on four years' probation, Count Two to run concurrently with Count One, and it was a condition of probation that the Defendant (1) stay employed, (2) avoid criminal involvement and association with criminals, and (3) make restitution of the \$123.30 in monthly payments of \$5.00 to the U. S. Court Clerk's office beginning at the end of February, 1975. On February 12, 1976, following a probation revocation hearing, the Defendant's probation was revoked and he was committed to the custody of the Attorney General for four years as to Count One and the imposition of sentence was suspended on Count Two and he was placed on three years probation with the condition that he make restitution in the sum of \$123.30 at the rate of \$10.00 a month.

Movant in his § 2255 motion demands his release from custody and as grounds therefor claims that he is being deprived of his liberty in violation of his rights guaranteed by the Constitution of the United States of America. In particular, Movant claims that:

1. He was discriminated against in that one of the grounds for his probation revocation was that he was not looking for a job when in truth he was looking for a job.

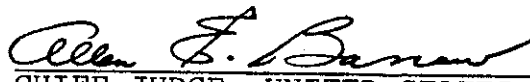
2. Another ground for probation revocation was that he left the District to which he was assigned, and in fact he did not leave Tulsa, Oklahoma, or Kansas City, Missouri, except upon transfer of his probation supervision.
3. He became emotional at his probation revocation hearing and was forcibly removed from the courtroom, and the sentence is invalid since he was not present at the time sentence was imposed.

The Court remembers the probation revocation hearing of Alvino Ray LaNear, and has carefully reviewed the motion, response and file. Being fully advised in the premises, the Court finds that the § 2255 motion is without merit and should be overruled.

Movant's first claim that one of the grounds for the revocation of his probation was that "he was not looking for a job" is without merit. The question was not whether he was looking for work, rather it was his failure to expend his best efforts to keep a job once he found one. Further, he made no restitution payments during his brief periods of employment. Second, he contends that he did not leave supervision except upon transfer of his probation supervision. This allegation is not supported by the record. He went to Kansas City, Missouri, on June 13, 1975, without the permission or knowledge of his probation officer and at that time there had been no transfer of supervision from Tulsa, Oklahoma. He returned to Tulsa and thereafter his supervision was transferred to Kansas City, Missouri, on September 22, 1977. On November 13, 1975, he returned to Tulsa without the permission of the Kansas City Probation Office and his supervision had not been returned to Tulsa. His third contention is also without merit. He did become emotional and unruly during the revocation proceedings, but he was present before the Court when probation was revoked and sentence imposed. Movant states no valid grounds to support his § 2255 motion.

IT IS, THEREFORE, ORDERED that the motion pursuant to 28 U.S.C. § 2255 of Alvino Ray LaNear be and it is hereby overruled, denied and the case is dismissed.

Dated this 31st day of May, 1978, at Tulsa, Oklahoma.


CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

MAY 30 1978

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

V.

ROBERT MICHAEL SUGG, et al.,

Defendants.

NO. 76-CR-64

O R D E R

The Court has for consideration a motion pursuant to Rule 35, Federal Rules of Criminal Procedure, made on behalf of the Defendant, Robert Michael Sugg, seeking a discretionary modification of sentence, and also an application for hearing on the Rule 35 motion. The motion is timely filed following mandate received and filed May 12, 1978, affirming the conviction.

The Court finds that an evidentiary hearing is not required and the application therefor should be denied. Having studied the motion, read the letters from counsel and Defendant, carefully reviewed the file, reflected on the sentence, and being fully advised in the premises, the Court finds that the motion for modification of sentence should be sustained.

IT IS, THEREFORE, ORDERED that the application for hearing on the Rule 35 motion be and it is hereby overruled.

IT IS FURTHER ORDERED that the Judgment and Sentence entered herein against Robert Michael Sugg on October 5, 1976, be and it is hereby reduced and modified from one month jail-type custody to jail time served to date.

It is the intent of this Order that Robert Michael Sugg be released from jail-type custody forthwith to commence his twenty nine (29) months probation, said probationary period to be followed by two (2) years special parole term pursuant to 21 U.S.C. § 841(b)(1)(B).

Dated this 30th day of May, 1978, at Tulsa, Oklahoma.

Celan E. Barrow
CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

United States of America vs.

United States District Court for
NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT

STELLA LOUISE OSBORNE

DOCKET NO.

78-CR-59-B

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

COUNSEL

In the presence of the attorney for the government
the defendant appeared in person on this date

MONTH DAY YEAR
5 30 78

☐ WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

☒ WITH COUNSEL

Ainslie Perrault, Jr.

(Name of counsel)

FILED

PLEA

☒ GUILTY, and the court being satisfied that
there is a factual basis for the plea,

☐ NOLO CONTENDERE,

☐ NOT GUILTY
MAY 30 1978

FINDING &
JUDGMENT

There being a finding/verdict of

☐ NOT GUILTY. Defendant is discharged

☒ GUILTY.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Defendant has been convicted as charged of the offense(s) of **having violated Title 18, U.S.C.,
Section 495, as charged in Count 2 of the Indictment.**

SENTENCE
OR
PROBATION
ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: ~~the defendant be committed to the custody of the Attorney General and recommended for sentence.~~

COUNT 2 - The imposition of sentence is suspended and the defendant is hereby placed on probation for period of Two (2) years from this date.

SPECIAL
CONDITIONS
OF
PROBATION

The special condition of probation is that the defendant make restitution to the Court Clerk in the amount of \$337.45, for payment to the U. S. Treasury. Payments to begin in June, 1978, at \$15.00 a month until paid.

ADDITIONAL
CONDITIONS
OF
PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT
RECOMMEN-
DATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

☒ U.S. District Judge

☐ U.S. Magistrate

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

Date 5-30-78

United States of America vs.

United States District Court for

DEFENDANT

HAROLD HERBERT SMITH

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO. 78-CR-12

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

COUNSEL

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR
5 22 78

☐ WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

☒ WITH COUNSEL

Brian S. Gaskill, Court Appointed

(Name of counsel)

PLEA

☐ GUILTY, and the court being satisfied that there is a factual basis for the plea,

☐ NOLO CONTENDERE,

☒ NOT GUILTY

FILED

MAY 22 1978

Jack C. Silver, Clerk
U. S. DISTRICT COURT

FINDING & JUDGMENT

There being a finding ~~of~~ of

☐ NOT GUILTY. Defendant is discharged
☒ GUILTY.

Defendant has been convicted as charged of the offense(s) of **having violated Title 18, U.S.C., Sections 495 and 2, as charged in the Indictment.**

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Six (6) Months

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends, **that the defendant be sent to the Medical Center at Springfield, Missouri, or such other similar facility for the treatment and evaluation of his alcoholism and related physical conditions.**

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

☒ U.S. District Judge

☐ U.S. Magistrate

H. DALE COOK

Date 5-22-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

FILED

UNITED STATES DISTRICT COURT

MAY 22 1978 P

Northern District of Oklahoma

Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America

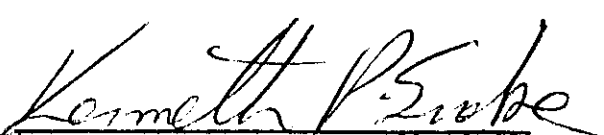
Criminal No. 76-CR-64 - 6

vs.


ROBERT MICHAEL SUGG,

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal
Procedure and by leave of court endorsed hereon the United States
Attorney for the Northern District of Oklahoma
hereby dismisses ~~the~~ Count II of the Indictment against
(indictment, information, complaint)
Robert Michael Sugg defendant.


Asst. United States Attorney

Leave of court is granted for the filing of the foregoing dismissal.


United States District Judge

Date: May 22, 1978

DOJ

FORM OBD-113

8-27-74

MAY 19 1978

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
v. Plaintiff,)
)
CAROL JEAN BARNETT ETAME',)
)
Defendant.)

NO. 77-CR-147 ✓

O R D E R

Having been informed by the United States Marshal for this District of the Defendant's excellent progress during confinement herein, the Court on its own motion finds that the sentence imposed March 21, 1978, should be reduced.

IT IS, THEREFORE, ORDERED that the Judgment and Sentence entered herein against Carol Jean Barnett Etame' on March 21, 1978, be and it is hereby reduced and modified from three months jail-type custody to two months jail-type custody.

It is the intent of this Order that Carol Jean Barnett Etame' be released from jail-type custody forthwith to commence her nine months probation.

Dated this 19th day of May, 1978, at Tulsa, Oklahoma.

Allen E. Bann

CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

DEFENDANT

HOWARD D. PASCHAL, JR.

DOCKET NO.

78-CR-39-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government
the defendant appeared in person on this date

MONTH DAY YEAR
5 19 78

COUNSEL

☐ WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

☒ WITH COUNSEL

David R. Scott, Retained

(Name of counsel)

FILED

PLEA

☒ GUILTY, and the court being satisfied that
there is a factual basis for the plea,

☐ NOLO CONTENDERE,

☐ NOT GUILTY

MAY 19 1978

There being a finding/verdict of

☐ NOT GUILTY. Defendant is discharged
☒ GUILTY.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

FINDING &
JUDGMENT

Defendant has been convicted as charged of the offense(s) of **having violated Title 18, U.S.C.,
Section 1703, on Counts I and II, as charged in the Indictment.**

SENTENCE
OR
PROBATION
ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: ~~Notwithstanding the fact that the defendant is a first-time offender, the court hereby orders that the defendant be sentenced to imprisonment for a period of two and one-half (2 1/2) years from this date.~~

Count 1 - The imposition of sentence as to imprisonment only is hereby suspended and the defendant is placed on probation for a period of Two and One-Half (2 1/2) Years from this date.

Count 2 - The imposition of sentence as to imprisonment only is hereby suspended and the defendant is placed on probation for a period of Two and One-Half (2 1/2) Years from this date.

SPECIAL
CONDITIONS
OF
PROBATION

IT IS ADJUDGED that the sentence imposed in Count 2 shall run concurrently with the sentence in Count 1.

IT IS FURTHER ORDERED that the defendant pay a fine unto the United States of America in the amount of Five Hundred Dollars (\$500.00) on each of Counts 1 and 2, and the defendant shall be held until the fine is paid or until he is released by due process of law.

ADDITIONAL
CONDITIONS
OF
PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT
RECOMMEN-
DATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

☒ U.S. District Judge

☐ U.S. Magistrate

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

Date

5-19-78

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 19 1978 *jm*

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
VS)
)
FLOYD AUGUST DAVIS,)
)
Defendant.)

75-CR-43-C ✓

ORDER VACATING SENTENCE
ON COUNT II

Now on this 18th day of May, 1978, pursuant to the Opinion and directions of the United States Court of Appeals of the Tenth Circuit, No. 77-1035, the Court, being fully advised in the premise, does hereby expressly vacate the sentence heretofore imposed on Count II.

IT IS SO ORDERED this 18th day of May, 1978.

H. Dale Cook
H. DALE COOK
United States District Judge

United States District Court)
Northern District of Oklahoma) ss

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By *R. Miller*
Deputy

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAY 12 1978

THE UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
ROGER LLOYD STOKES,)
)
Defendant.)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

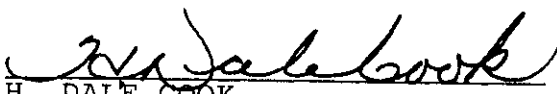
No. 77-CR-80-C

ORDER

The Court has before it for consideration the motion of the defendant, Roger Lloyd Stokes, for a reduction of sentence pursuant to Rule 35 of the Federal Rules of Criminal Procedure. The defendant entered a plea of guilty to an indictment charging him with a violation of 21 U.S.C. §§ 952(a) and 960(a)(1). On September 6, 1977, the Court sentenced the defendant to imprisonment for a term of six (6) years, to be followed by a special parole term of five (5) years. The mandate of the Tenth Circuit Court of Appeals, affirming the judgment and sentence, was received on May 8, 1978.

On May 11, 1978, the Court held an evidentiary hearing on defendant's motion for reduction of sentence. After a consideration of the evidence presented at the hearing and a careful review of the entire record in this case, the Court finds that defendant's motion should be and is hereby sustained to the following extent: the term of imprisonment imposed on September 6, 1977 is reduced from six (6) years to two (2) years. The special parole term shall remain five (5) years, as imposed on September 6, 1977.

It is so Ordered this 12th day of May, 1978.


H. DALE COOK
United States District Judge

United States of America vs.

United States District Court for

DEFENDANT

SAMMY LEW COWAN

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO. 78-CR-33

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

COUNSEL

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR
5 11 78

WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL

George Briggs, Retained
(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE,

NOT GUILTY

FILED

MAY 11 1978

FINDING & JUDGMENT

There being a finding/verdict of

NOT GUILTY. Defendant is discharged
GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated Title 26, U.S.C., Section 5861(d), as charged in the Indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

IT IS ORDERED AND ADJUDGED that the defendant shall pay a fine unto the United States in the amount of \$500.00 and shall stand committed until said fine is paid in full, or he is otherwise discharged by due process of law.

IT IS FURTHER ORDERED that the order that the defendant stand committed is stayed until May 15, 1978, at 9:30 a.m.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

X

U.S. Magistrate

H. DALE COOK

Date

5-11-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

DEFENDANT

GARY DEAN MILLS

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO.

78-CR-32

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR
5 11 78

COUNSEL

WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL

(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE,

FILED
X NOT GUILTY D

MAY 11 1978

Jack R. Silver, Clerk
U. S. District Court

FINDING & JUDGMENT

There being a finding/verdict of

NOT GUILTY. Defendant is discharged

GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated Title 18, U.S.C., Section 656, as charged in Counts 1, 2, 3, 4 and 5 of the Indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Count One - Two and one-half (2 1/2) Years, on the condition that the defendant be confined in a jail-type or treatment institution for a period of Five (5) Months, the execution of the remainder of the sentence is hereby suspended and the defendant is placed on probation for a period of Two and one-half (2 1/2) Years; said probation to commence upon defendant's release from confinement.

SPECIAL CONDITIONS OF PROBATION

Counts Two, Three, Four and Five - The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Two and one-half (2 1/2) Years as to each count, to commence upon the defendant's release from confinement in Count 1.

ADDITIONAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the execution of the sentence in Count One is stayed until June 5, 1978, at 9:00 a.m., at which time the defendant shall report to the U. S. Marshal.

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

The court orders commitment to the custody of the Attorney General and recommends,

COMMITMENT RECOMMENDATION

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

X U.S. District Judge

U.S. Magistrate

H. DALE COOK

Date 5-11-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

DEFENDANT

RONNIE EUGENE MAYNARD

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO.

78-CR-42

JUDGMENT AND PROBATION/COMMUNITY ORDER

AO 245 (6/74)

COUNSEL

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR
5 8 78

☐ WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

☒ WITH COUNSEL

Boy W. And Byars, Retained

(Name of counsel)

PLEA

☐ GUILTY, and the court being satisfied that there is a factual basis for the plea,

☐ NOLO CONTENDERE,

☒ NOT GUILTY

FINDING & JUDGMENT

There being a ~~guilty~~ verdict of

☒ NOT GUILTY. Defendant is discharged

, his bond is exonerated, and the indictment is dismissed.

☐ GUILTY.

FILED

MAY - 8 1978

Jack C. Silver, Clerk
U. S. DISTRICT COURT

SENTENCE OR PROBATION ORDER

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

☒ U.S. District Judge

☐ U.S. Magistrate

H. DALE COOK

Date

5-8-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

MAY 5 1978

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRY KENT HARRIS,

Defendant.

NO. 77-CR-118

O R D E R

The Court has for consideration the progress report for Jerry Kent Harris from the Federal Reformatory, El Reno, Oklahoma, requested at the time of sentence, January 10, 1978. Since its receipt, the Court has studied the report, has again carefully reviewed the file and pre-sentence report, and finds that the original sentence should be modified pursuant to Rule 35, Federal Rules of Criminal Procedure. Further, the Court finds that although the original sentence was pursuant to the Youth Corrections Act, 18 U.S.C. § 5010(b), as a young adult offender within the purview of 18 U.S.C. § 4216, under the circumstances now known to the Court, he will not derive maximum benefit from treatment under 18 U.S.C. § 5010(b).

IT IS, THEREFORE, ORDERED that the Judgment and Sentence against Jerry Kent Harris entered herein on January 10, 1978, be and it is hereby modified to the following:

The Defendant, Jerry Kent Harris, is hereby committed to the custody of the Attorney General or his authorized representative for a period of three (3) years, regular adult sentence, eligible for parole in the discretion of the Parole Commission pursuant to 18 U.S.C. § 4205(a); and said sentence shall run concurrently with the sentence imposed in the Western District of Oklahoma.

Dated this 5th day of May, 1978, at Tulsa, Oklahoma.

Allen E. Baron
CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA